Remarks

Claims 1-15 were in the application as last examined. No amendments are made. Applicants respectfully request further examination and consideration in light of the following remarks.

Rejections under 35 U.S.C. § 102

Claims 5 and 6 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2003/02311139 to Tai et al. The rejections are respectfully traversed.

The Examiner asserts that the dipole antenna 6 of the Tai et al. patent application includes two separable pieces 31, 32, connectable to each other at a junction 33. In fact, the dipole 6 is formed on the surface of a PCB so that the pole 3 has the shape of the letter n, with a first portion 31, a second portion 32, and a middle portion 33 (Tai et al., para [0027]). There is nothing *separable* about the portions, all of them being fixed to the PCB substrate. Consequently, they are not *connectable* as required in claim 5. That the portions 31, 32 are separated from each other and connected to each other by the middle portion 33 does not mean that they are *separable* or *connectable*. The latter concepts imply that the two portions of the single dipole can be broken down and reconnected at will without significant signal loss through the junction, as taught by the instant application.

A claimed invention is not anticipated under §102 unless each and every element of the claimed invention is found in the prior art. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Given the lack of teaching in the Tai et al. patent application about one of the poles having two pieces connectably separable from each other without significant signal loss, it cannot be said that the Tai et al. patent application anticipates claim 5. And because the Tai et al. patent application does not anticipate claim 5, it likewise doc not anticipate claim 6 which depends from claim 5. Respectfully, the rejections should be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 7-15 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over the Tai et al. publication in view of U.S. Patent No. 4,369,449 to MacDougall. The rejections are respectfully traversed.

There is no motivation or suggestion in the references for making the alleged combination, and therefore it would not have been obvious to make the combination. The Tai et al. patent application relates to providing a wide band antenna on a printed circuit board. The MacDougall '449 patent relates to a linearly polarized wide-band omnidirectional antenna with one or more dipoles having elongated tubular radiators. There is nothing in either reference to lead one ordinarily skilled in the art to the other. Moreover, employing the separate portions of one pole from the Tai et al. patent application would probably lead away from an omnidirectional pattern in the MacDougall '449 patent, contrary to the suggestion offered by the Examiner.

More importantly, however, even if the alleged combination were proper or even tenable, it would still not reach the invention of claims 7-15, all of which depend directly or indirectly from claim 5 and therefore require one of the poles having two pieces connectably separable from each other without significant signal loss. Nothing in the Tai et al. patent application or in the MacDougall '449 patent teaches or suggests this element of the claims. Therefore, the claims are patentable over the alleged combination. For these reasons, the rejections are untenable and should be withdrawn.

Conclusion

The allowance of claims 1-4 is acknowledged with thanks. However, in the absence of any other cited art, it is believed that claims 5-15 are also allowable and early notice of Allowability is respectfully requested. Any questions concerning the foregoing may be directed to the undersigned at 616-742-3513 or jeb@mcgarrybair.com.

Respectfully submitted,

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